

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

JAMES DOUGLAS NICHOLS (2)

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§

CASE NO. 4:09-CR-222  
(Judge Folsom)

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On April 16, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Suppress Search With Warrant and Memorandum (Fourth Amendment) should be denied.

The Court, having made a *de novo* review of the objections raised by Defendant, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is accordingly

**ORDERED** that Defendant's Motion to Suppress Search With Warrant and Memorandum (Fourth Amendment) (Dkt. #41) is **DENIED**.

**IT IS SO ORDERED.**

**SIGNED this 29th day of April, 2010.**



DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE